PREAMBLE, RULES

AND

BY-LAWS

OF THE

HILL CHURCH UNION CEMETERY ASSOCIATION

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1950

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PREAMBLE

WHEREAS, on August 12th, A. D., 1741, the ancestry of the present members of the Hill Church, in Pike township, Berks County, Pa., secured for themselves, and their successors a tract of fifty acres of land, be the same more or less, for church and burial purposes.

AND WHEREAS, the said church and burial grounds are now jointly owned and used by the St. Joseph's Lutheran Congregation and the St. John's Reformed congregation. The said St. Joseph's Lutheran congregation being governed by a church council of twelve men and the said St. John's Reformed congregation by a consistory of twelve men who jointly govern the church property and burial grounds.

AND WHEREAS, the joined body, at a regular meeting, called a congregational meeting the 29th day of March, A. D. 1913, and whereas, the members of the two congregations on said date by vote, carried by a majority of the members present decided to authorize and instruct the joint body, "1" To lay out a part of the unused burial grounds as a cemetery, to plot the same into sixteen feet lots, cut four

lots to a block and otherwise plan the same." 2 By said vote of both congregations "the joint body is empowered and authorized to perform each and every act necessary to carry out said plan.

Resolved, that six members, three of the St. Joseph's Lutheran congregation and, three of the St. John's Reformed congregation be elected by the joint body to carry out the work as assigned. Irwin M. Fronheiser, William C. Moyer and Edwin Muthard members of the Lutheran congregation, and Elam F. Moyer, Nathan M. Weller and Mabry Brumbach, of the Reformed congregation were elected to take charge of the work for the year 1913.

RESOLVED, that the name of the cemetery organization, thus elected, shall be "The Hill Church Union Cemetery Association."

RESOLVED that the lot holders, and The Hill Church Cemetery Association be governed by the following rules, regulatons and by-laws as assigned to them by their constituency.

PRIVILEGES AND DUTIES OF LOT HOLDERS

Sec. 1. Immediately upon the selection of any lot the sum of ten dollars shall be paid.

Sec. 2. Lot holders shall upon full payment of the purchase price receive a deed, properly signed and attested by the President and Secretary. Such deed to convey to them and their successors the full, free and absolute right of sepulture and the exclusive use, occupation and possession for that purpose for themselves, their families, or any other person whomever the said owner or owners shall designate, subject always to the rules, regulation and by laws of the Hill Church Union Cemetery Association, as they now are or as they may hereafter be made, at a regular joint meeting of the St. Joseph's Lutheran Church Council and the St. John's Reformed Consistory.

Sec. 3. No lot holder shall transfer, sell, or convey his right title and interest in any lot purchased by him, unless by and with the consent in writing of the president and secretary of the Association, with the concurrence

of a majority of the Association for so doing.

Sec. 4. No holder can purchase any lot or lots in fee. The price paid by him always shall permit him only to the right, liberty and privilege to inter his or their dead human bodies, or the human bodies of their friends and relatives, without any molestation on the part of the Association or any other person.

Sec. 5. No lot owner or owners shall alter or change the dimensions of any lot or lots, nor shall any one be permitted to plant any weeds, trailing vine, shrubbery or trees on the lots owned by them, nor shall any lot holder or any one under him deface, throw rubbish, dirt or brush on any other lot or lots.

Sec. 6. A penalty of ten dollars shall be imposed for each and every offence.

Sec. 7. All unused ground shall be removed from all lots within 15 days after the interment of any body has been made thereon, and if such surplus ground is not so removed, the association reserves the right to enter upon the premises and remove the same at the cost and expense of the owner, or owners of lots.

Sec. 8. Lot holders shall have no right to vote at the meetings of the

association, as members of the several congregations, using and occupying the church and burial grounds, to whom this association is responsible, they shall have all the privileges as set-forth in the constitution and by-laws of said congregations.

Sec. 9. The acceptance of a deed by any person or persons for the purchase of any lot or lots shall signify his willingness and pledge that he or they shall at all times abide by the rules regulations, and by laws of the Hill Church Union Cemetery Asso., as they now are and as they may hereafter be.

Sec. 10. Mowing Lots-All owners of lots are required to mow their lots before May 23 of each year and as often as conditions require thereafter. If they fail to do so, the Association reserves the right to mow the same and charge a fee for mowing the same. If the lot owner fails to pay the said fee, said fees shall become a charge upon the lot and payment of such charge must be made before burial on the lot will be permitted. Bills for mowing lots will be sent annually in the instances when the association mows the lots in accordance with this amendment to the By-Laws.

THE ASSOCIATION

ARTICLE I

Sec. 1. The association shall consist of six members, three of the St. Joseph's Lutheran Congregation and three of the St. John's Reformed Congregation. Said members of the association are to serve for three years. One member of each congregation is to be elected annually at the meeting of the joined body, the first Saturday in December of each year.

Sec. 2. Any vacancy in the association shall be filled by a member of the congregation wherein the vacancy occurs.

Sec. 3. The Cemetery Association shall annually elect one of their members as president, one as secretary, and one as treasurer.

ARTICLE II

MEETINGS

Sec. 1. The annual meeting shall be held the last week in March and regular quarterly meetings shall be held the last week in March, June, September and December.

Sec. 2. Special meetings can be called by three members of the Association by a notice in writing to the secretary setting forth therein the object of the meeting. Secretary to notify all members of meeting giving object of same in notice.

ARTICLE III

THE PRESIDENT

Sec. 1. The president shall preside at all meetings, maintain order, and it shall be his duty to see that the By-Laws are duly obeyed and its resolutions carried out, sign all deeds for the sale of lots and orders drawn at the regular or special meetings of the board.

THE SECRETARY

Sec. 2. The secretary shall keep an accurate account of the proceedings of all the meetings of the association in a book kept for said purpose, countersign all orders drawn on the treasurer and attest all deeds given to purchasers of lots. He shall have in his custody the plan or plot of lots as laid out and shall sell the lots at the price fixed by the association. He shall collect from each purchaser of lot, ten

dollars immediately upon the selection of any lot and the balance of the purchase price within one year and turn the amounts over to the treasurer.

He shall make a general and financial report to the joint meeting of the St. Joseph's Lutheran Church Council and St. John's Reformed Consistory, annually, the first Saturday of December.

At the end of his term of office, he shall immediately hand all the books, papers, money, etc., belonging to the association to his successor.

THE TREASURER

Sec. 3. The treasurer shall have charge of all the funds not otherwise provided for. He shall deposit them in his name as treasurer of the association in such bank as the financial committee may direct. He shall pay all orders passed by the association and signed by the president and secretary. He shall by the advice of the association and finance committee place all money he receives for perpetual care of graves and all surplus money from whatever source in safe investments, all such investments to be reported and approved by the St. Joseph's Lutheran Church Council and St. John's Refor-

med Consistory at its annual joint meeting or whenever required.

He shall annually present a written report of the condition of the treasury together with his accounts and vouchers for audit, or oftener if he is so directed.

At the expiration of his term of office he shall give to his successor all moneys in his hands as treasurer of the association, together with all vouchers, books of accounts and any other papers or documents held by him.

ARTICLE IV

COMMITTEES

Sec. 1. A financial committee of three members shall be appointed annually, one by the Lutheran Pastor, one by the Reformed Pastor, and one by the President of the Association.

Sec. 2. The duty of this committee shall be to see that the finances are properly conducted in accordance with these By_laws and audit the books of the secretary and treasury at least once a year.

ARTICLE V

THE INCOME

Sec. 1. All the income received by the association from the sale of lots, for perpetual care of graves, and from whatever source is and shall be the property of the St. Joseph's Lutheran and St. John's Reformed congregations, share and share alike, the interest to be used for keeping the cemetery and grave-yard in first-class condition.

Sec. 2. Should dividends accrue the one half is to be paid to the St. Joseph's Lutheran Congregation and the one half to the St. John's Reformed Congregation, share and share alike.

AMENDMENTS

These By-Laws may be altered or amended by a two-thirds vote at any regular joint meeting of the St. Joseph's Lutheran Church council and St. John's Reformed Consistory, notice of the same to be given in writing at a previous meeting.